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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/550,195	10/05/2005	Osamu Watanabe	112857-490	7320
29175 7590 08/01/2008 BELI., BOYD & LLOYD, LLP P. O. BOX 1135 CHICAGO, IL 60690				
EXAMINER				
INGVOLDSTAD, BENNETT				
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/550,195

Applicant(s)

WATANABE ET AL.

Examiner

BENNETT INGOLDSTAD

Art Unit

2623

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03 June 2008.
2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 22-36 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 22-36 is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☒ The drawing(s) filed on 21 September 2005 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-8508)
Paper No(s)/Mail Date _____
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____

DETAILED ACTION

Response to Amendment

1. In view of Applicant's amendments, the rejections under 35 USC 101 are withdrawn.
2. The examiner acknowledges the previous receipt of the Formal drawings filed 21 September 2005, and withdraws the improper requirement to furnish a drawing. However, see the Objection under section "Drawings".

Drawings

3. The drawings filed 21 September 2005 are objected to because the labels are not in English. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or

"New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Response to Arguments

4. Applicant's arguments filed 6 March 2008 have been fully considered but they are not persuasive.
5. Applicant argues that the rejections under 35 USC 103 are improper because a "media type", as characterized from the primary reference, is not a "genre" as claimed.
6. However, the claims do not so limit the term "genre". A genre is interpreted to be substantially the same as a category. The "media types" disclosed by the primary reference are considered to be categories of media.

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 22-30 rejected under 35 U.S.C. 103(a) as being unpatentable over Sciammarella '848 (US 2002/0033848).

Claim 22: Sciammarella discloses a display processing apparatus for performing a process for displaying content information that is classified into genres (displaying information about data files in audio or image genres [Abstract]), the display processing apparatus comprising:

- content display data generating means for performing a process for configuring content cards recording content information according to the number of content items (thumbnail cards recording file name, size, date information for each file [Figs 1-4]), displaying a card group including a plurality of content cards corresponding to the number of content items as a card group that indicates only the presence of content with the content information being hidden (displaying thumbnails representing the number of files, the content information 26 visible for only the selected thumbnail 25' [Fig 4]), and
- displaying a content item selected by a user-operable selection indicator in a portion adjacent to the card group with the content information being displayed (the selected thumbnail 25' with content information 26 [Fig 4]); and
- wherein the content information is continuously displayed according to a user selection operation (focus outline continuously displays the selected thumbnail [0050] along with content information [Fig 4]).

In a separate embodiment, Sciammarella further discloses:

- display data generating means for performing a process for displaying genres corresponding displayed content information and displaying the genre of the selected content information as being displayed (genre bar along bottom edge of the screen [Fig 31], "Images" near the top right corner to indicate the selected genre [Fig 31]).

It would have been obvious to have combined the display embodiments for the purpose of allowing the user to more easily select the genre of content for display and to see the currently displayed genre while using the helix display method [Fig 4].

Claim 23, depending on claim 22: Sciammarella further discloses wherein the content display data generating means is configured to perform a process for determining the manner in which each of the content cards is displayed depending on the relative position of the selection indicator in the card group (the thumbnails are scaled based on their placement within the sequence of thumbnails in relation to the selected thumbnail [Fig 4] [0057]).

Claim 24, depending on claim 22: Sciammarella further discloses wherein the content display data generating means is configured to determine the manner in which each of the content cards is displayed depending on the relative position of the selection indicator in the card group (the thumbnails are overlaid based on

their placement within the sequence of thumbnails in relation to the selected thumbnail [Fig 2] [0055]), and

is configured to perform a display process in which a content card at a position close to the selection indicator is set to an angle at which the content information is displayed and a content card at a position far from the selection indicator is set to an angle at which the content information is hidden (filename content information 31 is displayed for thumbnails 23 close to the selected thumbnail 25 but hidden for those far away, i.e. off the edge of the screen [Fig 2]).

Claim 25, depending on claim 22: Sciammarella further discloses wherein the content display data generating means is configured to perform a process for moving the content cards along a parametric curve (along a helix [Fig 4] [0059]) and displaying a content item selected by the selection indicator at a position on the parametric curve apart from the card group with the content information being displayed (displaying the selected image content item with the content information [Fig 19] [0088]).

Claim 26: Sciammarella discloses a display processing method for performing a process for displaying content information that is classified into genres (displaying information about data files in audio or image genres [Abstract]), the display processing method comprising:

- configuring content cards recording content information according to the number of content items (thumbnail cards recording file name, size, date information for each file [Figs 1-4]) and displaying a card group including a plurality of content cards corresponding to the number of content items as a card group that indicates only the presence of content with the content information being hidden (displaying thumbnails representing the number of files, the content information 26 visible for only the selected thumbnail 25' [Fig 4]);
- displaying a content item selected by a user-operable selection indicator in a portion adjacent to the card group with the content information being displayed (the selected thumbnail 25' with content information 26 [Fig 4]); and
- wherein the content information is continuously displayed according to a user selection operation (focus outline continuously displays the selected thumbnail [0050] along with content information [Fig 4]).

In a separate embodiment, Sciammarella further discloses:

- displaying genres corresponding to displayed content information and displaying the genre of the selected content information as being displayed (genre bar along bottom edge of the screen [Fig 31], "Images" near the top right corner to indicate the selected genre [Fig 31]).

It would have been obvious to have combined the display embodiments for the purpose of allowing the user to more easily select the genre of content for display

and to see the currently displayed genre while using the helix display method [Fig 4].

Claim 27, depending on claim 26: Sciammarella further discloses performing a process for determining the manner in which each of the content cards is displayed depending on the relative position of the selection indicator in the card group (the thumbnails are scaled based on their placement within the sequence of thumbnails in relation to the selected thumbnail [Fig 4] [0057]).

Claim 28, depending on claim 26: Sciammarella further discloses wherein the display processing method comprises determining a manner in which each of the content cards is displayed depending on the relative position of the selection indicator in the card group (the thumbnails are overlaid based on their placement within the sequence of thumbnails in relation to the selected thumbnail [Fig 2] [0055]), and performs a display process in which a content card at a position close to the selection indicator is set to an angle at which the content information is displayed and a content card at a position far from the selection indicator is set to an angle at which the content information is hidden (filename content information 31 is displayed for thumbnails 23 close to the selected thumbnail 25 but hidden for those far away, i.e. off the edge of the screen [Fig 2]).

Claim 29, depending on claim 26: Sciammarella further discloses wherein the display processing method performs a process for moving the content cards along a parametric curve (along a helix [Fig 4] [0059]) and displaying a content item selected by the selection indicator at a position on the parametric curve apart from the card group with the content information being displayed (displaying the selected image content item with the content information [Fig 19] [0088]).

Claim 30: Sciammarella discloses a computer readable medium encoded with a computer program for performing a process for displaying content information that is classified into genres (displaying information about data files in audio or image genres [Abstract]), the computer program comprising:

- a step of configuring content cards recording content information according to the number of content items (thumbnail cards recording file name, size, date information for each file [Figs 1-4]) and displaying a card group including a plurality of content cards corresponding to the number of content items as a card group that indicates only the presence of content with the content information being hidden (displaying thumbnails representing the number of files, the content information 26 visible for only the selected thumbnail 25' [Fig 4]);
- a step of displaying a content item selected by a user- operable selection indicator in a portion adjacent to the card group with the content

information being displayed (the selected thumbnail 25' with content information 26 [Fig 4]); and

- wherein the content information is continuously displayed according to a user selection operation (focus outline continuously displays the selected thumbnail [0050] along with content information [Fig 4])

In a separate embodiment, Sciammarella further discloses:

- a step of displaying genres corresponding to displayed content information and displaying the genre of the selected content information as being displayed (genre bar along bottom edge of the screen [Fig 31], "Images" near the top right corner to indicate the selected genre [Fig 31]).

It would have been obvious to have combined the display embodiments for the purpose of allowing the user to more easily select the genre of content for display and to see the currently displayed genre while using the helix display method [Fig 4].

3. Claims 31-36 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sciammarella '848 (US 2002/0033848) in view of Sciammarella '940 (US 6281940).

Claims 31, 33, and 35: Sciammarella '848 does not further disclose wherein the genre is based on an electronic program guide.

Sciammarella '940 discloses a graphical user interface that is similar to the '848 reference's GUI. The '848 GUI is used to preview image and audio files

[Abstract], whereas the '940 GUI is used to preview broadcast media programs [Abstract]. The '940 GUI is thus an electronic program guide [Figs 4 and 7a-c] by virtue of comprising selectable broadcast media channels.

It would have been obvious to have modified the '848 reference's GUI to have been an EPG, the genres thus being selectable via the EPG and therefore "based on" an EPG, for the purpose of previewing and displaying additional types of media such as broadcast media for selection ['940 col. 1, l. 17-19].

Claims 32, 34, and 36: Sciammarella '848 does not further disclose wherein the genres include news and drama.

Sciammarella '940 discloses that genres such as movies or news [col. 6, l. 19-28] may include subgenres such as drama [col. 2, l. 27-32].

Therefore it would have been obvious to modify the genres of Sciammarella '848 (e.g. movies ['848 Fig 31]) to comprise the "news" genre and subgenres such as drama, for the purpose of further categorizing broadcast programs, thus allowing easier selection of a desired type of program.

Conclusion

4. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to BENNETT INGOLDSTAD whose telephone number is (571)270-3431. The examiner can normally be reached on M-Th 8-6:30 EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Scott Beliveau can be reached on (571) 272-7343. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Art Unit: 2623

/Bennett Ingvaldstad/
Examiner, Art Unit 2623

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